

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: GE/CBPS DATA BREACH LITIGATION

Case No. 1:20-cv-02903-KPF

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that upon: (1) the accompanying Memorandum of Law, and (2) the Declaration of Gary M. Klinger, and the exhibits attached thereto (including the Parties' Settlement Agreement), Plaintiff Steven Fowler, through his undersigned attorneys, will move this Court, before the Honorable Katherine Polk Failla, United States District Court Judge, Southern District of New York, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, for an Order, pursuant to Federal Rule of Civil Procedure 23(e):

1. Granting preliminary approval of the settlement described in the "Settlement Agreement" between Plaintiff and Defendants General Electric Company and Canon Business Process Services, Inc. (collectively, "Defendants"), and the attachments thereto, including the Claim Form, the Short Notice, the Long Notice, the Proposed Preliminary Approval Order, and the Proposed Final Approval Order, attached to the Declaration of Gary M. Klinger, filed in support of this motion;
2. Provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(b)(3) for settlement purposes only;
3. Appointing Milberg Coleman Bryson Phillips Grossman, PLLC, Gibbs Law Group LLP, and Bursor & Fisher, P.A. as Class Counsel;
4. Appointing Plaintiff as the Class Representative for the Settlement Class;

5. Approving a customary short form notice to be mailed to the Settlement Class Members (the “Short Notice”) in a form substantially similar to that attached as Exhibit E to the Settlement Agreement;
6. Approving a customary long form notice (the “Long Notice”) to be posted on the settlement website in a form substantially similar to the one attached as Exhibit C to the Settlement Agreement;
7. Approving the use of a claim form (the “Claim Form”) substantially similar to that attached as Exhibit A to the Settlement Agreement;
8. Directing that notice be sent to the Settlement Class in the form and manner proposed as set forth in the Settlement Agreement and its attachments;
9. Appointing RG/2 Claim Administration LLC as the Claims Administrator; and
10. Setting a hearing date and schedule for final approval of the Settlement and such other, further, or different relief as the court deems just and proper.

* * *

A Proposed Preliminary Approval Order is submitted herewith.

Dated: August 15, 2022

Respectfully submitted,

By: /s/ Gary M. Klinger

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